

## PUBLIC HEALTH SERVICE ACT

[As Amended Through P.L. 112–240, Enacted January 2, 2013]

【Currency: This publication is a compilation of the text of title I of Chapter 373 of the 78th Congress. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

[Each title of the Public Health Service Act has its own *update through note* that reflects amendments made to a provision of that title.]

【References in brackets 【】 are to title 42, United States Code】

### TITLE I—SHORT TITLE AND DEFINITIONS

#### SHORT TITLE

SECTION 1. 【201 note】 This Act may be cited as the “Public Health Service Act”.

#### DEFINITIONS

SEC. 2. 【201】 When used in this Act—

- (a) The term “Service” means the Public Health Service;
- (b) The term “Surgeon General” means the Surgeon General of the Public Health Service;
- (c) Unless the context otherwise requires, the term “Secretary” means the Secretary of Health and Human Services;
- (d) The term “regulations”, except when otherwise specified, means rules and regulations made by the Surgeon General with the approval of the Secretary;
- (e) The term “executive department” means any executive department, agency, or independent establishment of the United States or any corporation wholly owned by the United States;
- (f) Except as provided in sections 314(g)(4)(B), 318(c)(1), 331(h)(3), 355(5), 361(d), 701(9), 1002(c), 1401(13), and 1531(1)<sup>1</sup>, the term “State” includes, in addition to the several States, only the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

<sup>1</sup> See the note under the heading References in Text found in 42 U.S.C. 201 flagging problems in these cross references because of repeals and redesignations

(g) The term “possession” includes, among other possessions, Puerto Rico and the Virgin Islands;

(h) **[Repealed.]**

(i) The term “vessel” includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, exclusive of aircraft and amphibious contrivances;

(j) The term “habit-forming narcotic drug” or “narcotic” means opium and coca leaves and the several alkaloids derived therefrom, the best known of these alkaloids being morphia, heroin, and codeine, obtained from opium, and cocaine derived from the coca plant; all compounds, salts, preparations, or other derivatives obtained either from the raw material or from the various alkaloids; Indian hemp and its various derivatives, compounds, and preparations, and peyote in its various forms; isonipecaine and its derivatives, compounds, salts and preparations; opiates (as defined in section 3228(f) of the Internal Revenue Code);

(k) The term “addict” means any person who habitually uses any habit-forming narcotic drugs so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such habit-forming narcotic drugs as to have lost the power of self-control with reference to his addiction;

(l) The term “psychiatric disorders” includes diseases of the nervous system which affect mental health;

(m) The term “State mental health authority” means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for administering the mental health program of the State, it means such other State agency;

(n) The term “heart diseases” means diseases of the heart and circulation;

(o) The term “dental diseases and conditions” means diseases and conditions affecting teeth and their supporting structures, and other related diseases of the mouth;

(p) The term “uniformed service” means the Army, Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, or Coast and Geodetic Survey; and

(q) The term “drug dependent person” means a person who is using a controlled substance (as defined in section 102 of the Controlled Substances Act) and who is in a state of psychic or physical dependence, or both, arising from the use of that substance on a continuous basis. Drug dependence is characterized by behavioral and other responses which include a strong compulsion to take the substance on a continuous basis in order to experience its psychic effects or to avoid the discomfort caused by its absence.